

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AUDRA MCCOWAN, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 19-3326-KSM
	:	
CITY OF PHILADELPHIA, et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this _____ day of _____, 2022, upon consideration of Defendant the City of Philadelphia's Motion for Judgment As A Matter of Law Or, In The Alternative, For A New Trial Or Remittitur, it is hereby ORDERED and DECREED that Defendant's Motion is GRANTED as follows:

1. Judgment is entered as a matter of law on behalf of the Defendant.
2. In the alternative, a new trial is awarded to the Defendant.
3. In the alternative, the verdict is remitted to \$_____.

JUDGE KAREN S. MARSTON

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	:	
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	:	
CITY OF PHILADELPHIA, et al.,	:	
	:	
Defendants.	:	

**DEFENDANT’S POST-TRIAL MOTION FOR JUDGMENT OF LAW PURSUANT
TO FED.R.CIV.P. 50(b) OR, IN THE ALTERNATIVE,
FOR A NEW TRIAL OR REMITTITUR PURSUANT TO FED.R.CIV.P. 59**

For the reasons more fully set forth in Defendant’s forthcoming Memorandum of Law in Support of Defendant’s Motion for Judgment As A Matter Of Law Or, In The Alternative, For a New trial or Remittitur, to be filed with the Court within thirty days, Defendant hereby moves this Court for judgment as a matter of law or, in the alternative, for a new trial or remittitur.

Defendant contends that the Court should grant judgment as a matter of law or, in the alternative, a new trial or remittitur because, among other reasons, (1) Plaintiffs failed to establish a *Monell* claim pursuant to 42 U.S.C. § 1983 against Defendant; and (2) Plaintiffs should have been precluded from introducing the testimony of City Controller Rebecca Rhynhart, the 2018 audit report conducted by her office, Plaintiffs’ exhibit 1, and any other materials created by the Controller concerning her 2018 audit report.

The reasons that Defendant shall raise in support include, but are not limited to, the following:

- Plaintiffs failed to establish a *Monell* claim pursuant to 42 U.S.C. § 1983 against Defendant
- Plaintiffs should have been precluded from introducing the testimony of City Controller Rebecca Rhynhart, the 2018 audit report conducted by her office, Plaintiffs' exhibit 1, and any other materials created by the Controller concerning her 2018 audit report.

Date: June 21, 2022

Respectfully submitted,

/s/ Nicole S. Morris

Nicole S. Morris

Chief Deputy City Solicitor

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	:	
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CERTIFICATE OF SERVICE

I hereby certify that on this date, a true and correct copy of Defendant's post-trial motion for judgment of law or, in the alternative, for a new trial or remittitur was filed via ECF, and is available for viewing and downloading.

Date: June 21, 2022

/s/ Nicole S. Morris
Nicole S. Morris
Chief Deputy City Solicitor